

TOP SECRET//NOFORN//COMINT//SYN

16 007 1955

MEMORANDUM FOR: General Counsel

SUBJECT: Safeguarding Against Copyright Violation and Libel Action

1. Since discontinuance of the "RESTRICTED" classification in December 1953, Foreign Documents Division has been applying a "Warning" note to certain of its publications where safeguard against copyright violation and libel may be required.

This note is used only with such text published as "Unclassified" under a control cover "For Official Use Only."

The caveat currently in use is as follows:

WARNING

Law relating to copyright, libel, slander and communications require that the dissemination of part of this text be limited to "Official Use Only." Exception can be granted only by the issuing agency. Users are warned that non-compliance may subject violators to personal liability.

2. It will be noted that this caveat includes reference to "slander and communications" with which Foreign Documents Division is not concerned.

Attention is also invited to the unspecific phrase "of part" which in general does not apply to FDD reports.

It is also suggested that, in protection of Agency interest, no exception could be granted by FDD or an Agency component for wider dissemination of copyrighted or libelous material than would be allowed under the "For Official Use Only" control.

3. No account has been maintained of the percentage of the copyrighted material treated as above by FDD. However, it is relatively rare. There have been no requests received in FDD for the granting of exceptions.

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4. I will appreciate your opinion on the proposed revision of the warning note which aims to cover the FDD need more explicitly:

WARNING

Dissemination of this text, or parts thereof as indicated, must be limited to "Official Use Only" to comply with laws relating to copyright and libel. Users are warned that noncompliance with this restriction may subject violators to personal liability as the issuing agency denies responsibility for other than official use.

S/

GEORGE G. CAREY  
Assistant Director for Operations

FDD:jaa (13 Oct 55)

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